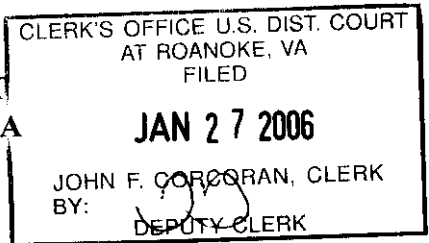


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION



MAURICE D. FOSTER,
Petitioner,

Civil Action No. 7:05-cv-00770

v.

MEMORANDUM OPINION AND ORDER

UNITED STATES OF AMERICA,
Respondent.

By: Samuel G. Wilson
United States District Judge

This matter is before the court on petitioner Maurice D. Foster's motion for a certificate of appealability regarding the court's December 28, 2005, order dismissing his 28 U.S.C. § 2255 motion as successive. Having reviewed the motion and pertinent portions of the record, the court finds that Foster has not stated grounds sufficient to warrant the granting of a certificate of appealability. Accordingly, it is hereby **ORDERED** and **ADJUDGED** that Foster's motion is **DENIED**.

The Clerk is directed to send certified copies of this order to petitioner.

ENTER: This 27th day of January, 2006.


UNITED STATES DISTRICT JUDGE